

MAY 27 2008

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**FACSIMILE COVER SHEET**

Deliver to: Cho, Hong Sol, USPTO

Art Group: 2616

Facsimile No.: (571) 273-8300

Date: May 27, 2008

From: Mark L. Watson, Reg. No. 46,322

Our Docket No.: 42P16159

Number of pages 14, including this sheet.

Application No.: 10/646,958

Filing Date: 8/21/2003

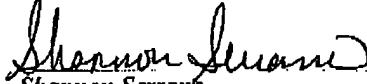
Docket Due Date(s): 8/1/2008

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: Response ( 11 pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( pgs)	<input type="checkbox"/> Notice of Appeal (in duplicate)
<input type="checkbox"/> Application: _____ ( ____ pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet ( ____ pgs)	<input type="checkbox"/> Request for Continued Examination (RCE) (in duplicate)
<input checked="" type="checkbox"/> Certificate of Facsimile _____	<input type="checkbox"/> Reply Brief ( ____ pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i);
<input type="checkbox"/> Declaration & POA ( pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: sheets, figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion ( ____ pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
 Shannon Serrano
5/27/2008  
Date

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## FEE TRANSMITTAL for FY 2007

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$ 0.00)

**Complete if Known**

Application Number	10/646,958
Filing Date	August 21, 2003
First Named Inventor	Carey W. Smith
Examiner Name	Cho, Hong Sol
Art Unit	2616
Attorney Docket No.	42P16139

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below

Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Credit any overpayments

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

**FEE CALCULATION**

**1. EXTRA CLAIM FEES**

Total Claims	Fee Code (\$)	Fee Code (\$)	Extra Claims	Fee from below	Fee Paid
13	25*	25*	= 0	x 50.00 =	\$0.00
Independent Claims	4	4*	= 0	x 210.00 =	\$0.00
Multiple Dependent				=	

**Large Entity**      **Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202 50	2202 25*	Claims in excess of 20	
1201 210	2201 105	Independent claims in excess of 3	
1203 370	2203 185	Multiple Dependent claim, if not paid	
1204 810	2204 405	"Reissue Independent claims over original patent	
1205 810	2205 405	"Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (1)</b>		(\$ 0.00)	

**2. ADDITIONAL FEES**

**Large Entity**      **Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2053 130	2053 130	Non-English specification	
1251 120	2251 60	Extension for reply within first month	
1252 460	2252 230	Extension for reply within second month	
1253 1,050	2253 525	Extension for reply within third month	
1254 1,640	2254 820	Extension for reply within fourth month	
1255 2,230	2255 1,115	Extension for reply within fifth month	
1401 510	2401 255	Notice of Appeal	
1402 510	2402 255	Filing a brief in support of an appeal	
1403 1,030	2403 515	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1808 180	Submission of Information Disclosure Stmt	
1809 810	1809 405	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 810	2810 405	For each additional invention to be examined (37 CFR § 1.129(b))	
<b>Other fee (specify)</b>		<b>SUBTOTAL (2)</b>	(\$ 0.00)

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Mark L. Watson	Registration No. (Attorney/Agent)	46,322	Telephone	(303) 740-1980
Signature				Date	05/27/08

Based on PTO/5B/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 02/26/2007.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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**FEE TRANSMITTAL  
for FY 2007**

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$)  
**0.00****Complete if Known**

Application Number	10/646,958
Filing Date	August 21, 2003
First Named Inventor	Carey W. Smith
Examiner Name	Cho, Hong Sol
Art Unit	2616
Attorney Docket No.	42P16159

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Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

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<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee	<input checked="" type="checkbox"/> Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.	

**FEE CALCULATION****1. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	13 - 25 = 0	X 50.00 = \$0.00	
Multiple Dependent	4 - 4 = 0	X 210.00 = \$0.00	

**Large Entity      Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description
1202 50	2202 25	Claims in excess of 20
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1205 810	2205 405	"Reissues claims in excess of 20 and over original patent
<b>SUBTOTAL (1)</b>		(\$) <b>0.00</b>

\*\*or number previously paid, if greater. For Reissues, see below

**2. ADDITIONAL FEES****Large Entity      Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description
1051 130	2051 65	Surcharge - late filing fee or oath
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
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1810 810	2810 405	For each additional invention to be examined (37 CFR § 1.129(b))
<b>Other fee (specify)</b>		
<b>SUBTOTAL (2)</b>		(\$) <b>0.00</b>

**Fee Paid****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Mark L. Watson	Registration No. (Attorney/Agent)	46,322	Telephone	(303) 740-1980
Signature				Date	05/27/08

Based on PTO/SB/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 02/28/2007.  
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**MAY 27 2008**

Our Docket No: 042390.P16159

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Smith

Examiner: Cho, Hong Sol

Application No.: 10/646,958

Art Group: 2619

Filed: August 21, 2003

For: COMMUNICATION PROTOCOL  
DETERMINATION

**AMENDMENT**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed May 1, 2008, applicants respectfully request the Examiner to enter the following amendments and to consider the following remarks.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that I am causing the above-referenced correspondence to be transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on the date indicated below:

May 27 2008